



Seattle Police Department Case Investigation Report

Case Investigation Report: 2017-478348

Certification for Determination of Probable Cause

That **Shawn Martinell** is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case number **2017-478348**. There is probable cause to believe that [REDACTED] committed the crime of **Indecent Liberties** within the City of Seattle, County of King, State of Washington. This belief is predicated on the following facts and circumstances.

On 12/30/2017 at about 1358 hours Victim [REDACTED] DOB: [REDACTED] and Suspect [REDACTED] were both patients at the Navos mental health treatment center (2600 SW Holden ST). [REDACTED] and S/[REDACTED] were both court ordered to stay treat at the facility. S/[REDACTED] had been living at Navos for about 3 months while [REDACTED] had only been living there for 4 days.

S/[REDACTED] had become frustrated with [REDACTED] because [REDACTED] stated that she worked for the CIA and that everyone in the facility was going to be arrested. Witness [REDACTED] who works at the facility, observed S/[REDACTED] become verbally hostile toward [REDACTED] W/[REDACTED] then observed S/[REDACTED] grab [REDACTED] by the shoulders and forcibly try to kiss [REDACTED] while [REDACTED] yelled, "Let-Go, Let-Go!". W/[REDACTED] did not think that S/[REDACTED] was not able to successfully kiss [REDACTED]

Witness [REDACTED] also works at the facility. W/[REDACTED] was in the common room with S/[REDACTED], [REDACTED] and several other patients. W/[REDACTED] heard [REDACTED] tell S/[REDACTED] to leave her alone several times. W/[REDACTED] was with another patient that he had been ordered to stay in direct view of. W/[REDACTED] had to leave the common room with his patient, but was still within hearing range of the common room. W/[REDACTED] could hear [REDACTED] yelling, "Don't touch me", "He's touching my breasts", and "He slapped me on the ass". As soon as W/[REDACTED] got someone else to watch the other patient W/[REDACTED] went back to the common room to check on [REDACTED] W/[REDACTED] then observed [REDACTED] walking away from S/[REDACTED]. W/[REDACTED] saw that S/[REDACTED] had his hand inside V/[REDACTED]'s pants. S/[REDACTED] was behind [REDACTED] and had his hand inside her pants from behind touching [REDACTED]'s butt. W/[REDACTED] did not know if penetration had been made.

I called and talked to [REDACTED] on the phone. [REDACTED] stated that S/[REDACTED] had sexually assaulted her by forcibly kissing her and sticking his tongue down her throat. [REDACTED] stated that she told S/[REDACTED] to stop and to leave her alone several times. Later in the same day S/[REDACTED] started grabbing [REDACTED] by the breasts and slapping her on the ass. S/[REDACTED] then stuck his hand down V/[REDACTED]'s pants from behind. S/[REDACTED]'s hand was under her pants and touching skin, [REDACTED] was not wearing



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underwear. [REDACTED] stated that S/[REDACTED] touched her butt crack and vagina. I could not get a clear answer from [REDACTED] if S/[REDACTED] had ever penetrated her anus or vagina. At the scene [REDACTED] told the responding officers that S/[REDACTED] had penetrated her vagina, but when officers asked follow up questions [REDACTED] stated that S/[REDACTED]'s "Touched it", but that his fingers did not "Go in the hole".

I contacted S/[REDACTED] while he was in custody at the King County Jail. S/[REDACTED] consented to providing a recorded statement. I advised S/[REDACTED] of his Miranda rights and specifically asked if he wanted his lawyer present with him during the interview. S/[REDACTED] did not want his lawyer present during the interview. S/[REDACTED] told me the following: S/[REDACTED] noticed that V/[REDACTED] wrote down on a piece of paper that "She wanted to be touched" so S/[REDACTED] "Went out of his way to touch her". S/[REDACTED] admitted to trying to kiss [REDACTED] smacking [REDACTED] on the butt, putting his hand down [REDACTED]'s pants (underneath her clothing) from behind, and grabbing V/[REDACTED]'s breasts. When I asked S/[REDACTED] what [REDACTED] was saying during the incident S/[REDACTED] stated that [REDACTED] yelled, "He smacked my butt". S/[REDACTED] stated that [REDACTED] never told him that she wanted to be touched but that [REDACTED] was wearing provocative clothing and was acting like she wanted to be touched.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this 3rd day of January 2018, at Seattle, Washington.